

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD JOSEPH McNATT,)	
)	
Petitioner)	
)	
v.)	C.A. No. 05-124 Erie
)	
JUDGE OLIVER J. LOBAUGH,)	
)	
Respondent.)	

PETITIONER'S REQUEST FOR AN EXTENSION OF TIME TO FILE BRIEF

AND NOW, comes the petitioner, Edward Joseph McNatt, by his attorney, Assistant Federal Public Defender Thomas W. Patton, and files this Request For an Extension of Time to File Brief. In support thereof counsel states:

1. Pursuant to an Order of Court, Petitioner is ordered to file a brief on or before July 12, 2007, addressing the application of the doctrines of exhaustion and/or procedural default to Petitioner's claims, and to specifically address the issue of whether the dismissal of Petitioner's claims as procedurally defaulted would amount to a fundamental miscarriage of justice.
2. Undersigned counsel will be on a family vacation from July 4, 2007 until July 11, 2007, and will not have sufficient time to prepare and file the brief by July 12, 2007.
3. Accordingly, Mr. McNatt requests an extension of time of seven days, to July 19, 2007, to file his brief.

WHEREFORE, for the foregoing reasons, Mr. McNatt respectfully requests that this Court extend the time for filing a brief as directed by the Court's Order until July 19, 2007.

Respectfully submitted,

/s/ Thomas W. Patton

Thomas W. Patton

Assistant Federal Public Defender

P.A. I.D. No. 88653